



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> April 4, 2016	<b>CONTACT/PHONE</b> Jo Manson <a href="mailto:jmanson@co.slo.ca.us">jmanson@co.slo.ca.us</a> (805) 781-4660	<b>APPLICANT</b> Alan Reid and Raymond Siegele	<b>FILE NO.</b> COAL 15-0102 SUB2015-00040
<b>LOCAL EFFECTIVE DATE</b> April 18, 2016			
<b>APPROX FINAL EFFECTIVE DATE</b> May 9, 2016			
<b>SUBJECT</b> A request by <b>ALAN REID AND RAYMOND SIEGELE</b> for a Lot Line Adjustment / Coastal Development Permit (COAL 15-0102) to adjust the lot lines between four parcels of approximately 1,750.0, 1,750.0, 1,750.0 and 3,500.0 square feet each. The adjustment will result in two parcels of approximately 4,760.0 and 3,990.0 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family land use category and is located at 451 and 463 Dorset Street, approximately 175 feet west of the intersection of Dorset Street and Pembroke Drive, in the community of Cambria. The site is in the North Coast planning area.			
<b>RECOMMENDED ACTION</b> Approve Lot Line Adjustment COAL 15-0102 (SUB2015-00040) based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 5 Categorical Exemption (pursuant to CEQA Guidelines Section 15305) was issued on February 23, 2016 (ED15-195).			
<b>LAND USE CATEGORY</b> Residential Single-Family	<b>COMBINING DESIGNATION</b> Geologic Study Area, Archaeological Study Area, Local Coastal Plan Area, Terrestrial Habitat	<b>ASSESSOR PARCEL NUMBER</b> 022-232-031, 022-232-045 and 022-232-046	<b>SUPERVISOR DISTRICT(S):</b> 2
<b>PLANNING AREA STANDARDS:</b> None applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> Section 23.04.028 - Subdivision Design standards for the Residential Single-Family and Multi-Family land use categories; Section 23.07.080 Geologic Study Area; Section 23.07.104 Archaeologically Sensitive Areas; Section 23.07.120 Local Coastal Program Area; Section 23.07.176 Terrestrial Habitat Protection; Section 21.02.030 – Real Property Division Ordinance			
<b>EXISTING USES:</b> Single family residences (2)			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Single Family / residences      East: Residential Single Family / residences South: Residential Single Family / residences      West: Residential Single Family / residences			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Public Works, Cambria Community Services District, Coastal Commission and the North Coast Advisory Council			
<b>TOPOGRAPHY:</b> Level to gently sloping		<b>VEGETATION:</b> Decorative landscaping and native vegetation	
<b>PROPOSED SERVICES:</b> Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire Department		<b>ACCEPTANCE DATE:</b> February 19, 2016	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ Fax: (805) 781-1242</small>			

## DISCUSSION

### *Government Code Section 66412(d) – Lot Line Adjustments*

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels (*Senate Bill 497*). In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan policies and requirements.

### *Title 21 / Real Property Division Ordinance*

Section 21.02.030 of the County's Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

### *Proposed Adjustment*

The applicant is proposing to adjust the lot lines between four legal parcels as follows:

EXISTING LOT SIZES (SQ. FT.)	ADJUSTED PARCEL SIZES (SQ. FT.)
1,750.0 square feet	4,760.0 square feet
1,750.0 square feet	
1,750.0 square feet	3,990.0 square feet
3,500.0 square feet	

The adjustment will result in the reconfiguration of the four (4) existing parcels to two (2) parcels to combine smaller parcels into larger parcels which more closely conform to the minimum parcel size for the land use category. The proposed lot line adjustment will shift the shared property line to the west in order to provide additional side yard for the applicant, Mr. Reid. The existing residences will conform to required side setbacks with the new lot configuration. The proposed lot line adjustment does not create more development potential than what exists today. The project will not result in the creation of any additional parcels.

Staff reviewed the legal lot status for the subject property and determined that the property consists of Lots 31, 32, 33, 34 and 35 in Block 59 of Cambria Pines Unit No. 5, according to map recorded April 18, 1929 in Book 5, Page 2 of Maps. Only maps that were recorded in or after 1929 in accordance with 1929 or later statutes of the State of California create legal lots of record. Cambria Pines Unit No. 5 was processed in accordance with 1907 statutes and did not create the lots. Therefore, the deed history had to be reviewed to determine legal lot creation through separate deed conveyance of individual lots. Four (4) legal parcels were identified based on a review of the deed history as follows: Lot 35, Lot 34, Lot 33, and Lots 31 and 32 together.

Existing Parcels 1 (Lot 35) and 2 (Lot 34) are developed with a single family dwelling that covers both lots. Existing Parcel 3 (Lot 33) is undeveloped. Existing Parcel 4 (Lots 31 and 32 together) is developed with a single family dwelling.

The Coastal Zone Land Use Ordinance (Title 23) sets the minimum parcel size for all land use categories. Section 23.04.028 of Title 23 bases the minimum parcel size for the Residential Single-Family land use category on the following 3 tests: the type of public road serving the property (lot access test), terrain features (slope test) and the type of sewage disposal facilities to be used (sewer test). The minimum parcel size set by the Residential Single-Family category based upon the characteristics of the subject property is 6,000 square feet. Neither of the proposed parcels meets the minimum parcel size. However, the adjustment will combine smaller parcels into larger parcels which more closely conform to the minimum parcel size for the land use category.

The Real Property Division Ordinance requires a determination to be made that the proposed situation is equal to or better than the existing situation. Because all of the parcel sizes are currently below the minimum parcel size as set through the Coastal Zone Land Use Ordinance and the resulting parcels will be increased in size by absorbing the undeveloped lot, staff has concluded that the proposed adjustment is a betterment of the existing situation. Therefore, the proposed lot line adjustment is consistent with both state and local law.

#### *Coastal Zone Land Use Ordinance*

##### *Section 23.07.120 – Local Coastal Program*

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

##### *Section 23.07.104 - Archaeologically Sensitive Areas*

The project site is within an Archaeologically Sensitive Area. Before issuance of a land use or construction permit for development within an archaeologically sensitive area, a preliminary site survey shall be required.

*Proposed Parcels 1 and 2 are both developed with a single family residence. No additional impacts are anticipated given both proposed parcels are already developed. If additional development does occur in the future a preliminary site survey shall be required.*

##### *Section 23.07.080 - Geologic Study Area*

The project site is within a geologic study area.

*This section of the Coastal Land Use Ordinance does not apply to the proposed project because the project is limited to the adjustment of a lot line, without any development or increased potential for development. However, if an addition to either of the houses is later proposed the application could be required to provide a geologic report.*

##### *Section 23.07.176 - Terrestrial Habitat Protection*

The project site is located with an area designated as terrestrial habitat.

*No additional impacts are anticipated given both proposed parcels are already developed.*

COASTAL PLAN POLICIES:

Shoreline Access: ☒ N/A Policy No(s):  
Recreation and Visitor Serving: ☒ N/A Policy No(s):  
Energy and Industrial Development: ☒ N/A Policy No(s):  
Commercial Fishing, Recreational Boating and Port Facilities: ☒ N/A Policy No(s):  
Environmentally Sensitive Habitats: ☐ N/A Policy No(s): 29  
Agriculture: ☒ N/A Policy No(s):  
Public Works: ☒ N/A Policy No(s):  
Coastal Watersheds: ☒ N/A Policy No(s):  
Visual and Scenic Resources: ☒ N/A Policy No(s):  
Hazards: ☒ N/A Policy No(s):  
Archeology: ☐ N/A Policy No(s): 1  
Air Quality: ☒ N/A Policy No(s):

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats

Policy 29: Protection of Terrestrial Habitats. Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat portion of the site.

*Staff Comments - The proposed project is within an area designated as terrestrial habitat. The proposed project does not include any new development. The proposed project will not disrupt any onsite resources and as such complies with this standard.*

Archaeology

Policy 1: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites.

*Staff Comments - The site is within the Archaeologically Sensitive Area combining designation. These policies are intended to avoid, and if not feasible, to provide mitigation for development on important archaeological sites, and for a preliminary site survey to be conducted for development. This lot line adjustment is consistent with those policies, because both of the proposed parcels are already developed with single family residences and therefore, the adjustment will not increase the likelihood of more intensive development in the adjusted areas, compared to the existing situation.*

**AGENCY REVIEW**

Public Works – Recommends approval.

Coastal Commission – Had questions regarding parcel legality. Planning staff emailed an explanation of the underlying legal parcels and that the four existing legal parcels would be adjusted into two legal parcels. Coastal Commission provided no further comments.

North Coast Advisory Council – The Council reviewed the project at their January 20, 2016 meeting and recommends approval.

Cambria Community Services District – No comments received

## **LEGAL LOT STATUS**

The four (4) existing parcels consist of Lots 31, 32, 33, 34 and 35 in Block 59 of Cambria Pines Unit No. 5 according to map recorded April 18, 1929 in Book 5, Page 2 of Maps and were legally created by deed at a time when that was a legal method of creating parcels.

## **ATTACHMENTS**

Attachment 1 – Findings

Attachment 2 – Conditions of Approval

Attachment 3 – Project Graphics

Attachment 4 – Project Referral Responses

Staff report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner.